



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, SEPTEMBER 20, 2000

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

Public Works

Johnny Alejo, Maintenance Worker I
David Guttirez, Maintenance Worker I

PRESENTATIONS

Finance Award

Ground Breaking El Toro Youth Center
Lori Escobar & Roger Knopf

PROCLAMATION

Prostate Cancer Awareness Month

Undoing Racism Day

CITY COUNCIL REPORT

Council Member Cook

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #11 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

- | | |
|----|--|
| 1. | <u>AUGUST 2000 FINANCE AND INVESTMENT REPORT</u> 1
<u>Recommended Action: Accept and file</u> report. |
| 2. | <u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) QUARTERLY
REPORT NO. 3</u> 27 |

Recommended Actions: **Accept** the Report by Minute Action.

3. **APPROVAL OF COPY MACHINE PURCHASE** 45
Recommended Action:
1. **Authorize** the Purchase of a Konica Copy Machine for City Hall Through NewCal Industries, and
2. **Increase** the Council Services & Records Management Budget within the General Fund by \$18,565.
4. **STATUS REPORT ON COMMUNITY PARK BALLFIELDS** 47
Recommended Action: **Continue** Schedule as Established.
5. **APPROVAL OF GRANT FOR INSTALLATION OF BICYCLE RACKS** 49
Recommended Action:
1. **Appropriate** \$7,158 from the Unappropriated Street Fund Balance for This Project and
2. **Authorize** City Manager to Execute the Agreement with Valley Transportation Authority (VTA) to Receive Reimbursement from a Transportation Fund for Clean Air (TFCA) 40% Grant for the Construction of Bicycle Racks.
6. **VT A PROPOSED 30-YEAR SALES TAX FOR TRANSIT PROJECTS AND LIST OF ROAD PROJECTS APPROVED ON AUGUST 22, 2000** 57
Recommended Action: **Information only.**
7. **AWARD OF BID FOR CONSTRUCTION OF NEW PARKING LOT AND PAD FOR MODULAR BUILDING AND APPROVAL OF PURCHASE OF USED MODULAR BUILDING FOR CITY HALL EXPANSION** 69
Recommended Action:
1. **Appropriate** an Additional \$150,000 from our Unappropriated Public Facilities Impact Fee Fund Balance for This Project,
2. **Award** Bid for Parking Lot/Pad Preparation to HRB Construction in the Amount of \$371,250 and
3. **Approve** Purchase of Used Modular Buildings for the Sum of \$75,000, Plus Tax, if Applicable.
8. **APPROVAL OF CITY MANAGER HOUSING ASSISTANCE** 73
Recommended Action:
1. **Approve** Loans for Housing Assistance to the City Manager and Sign the Related Documents and
2. **Increase** the General Fund Budget by \$544,000.
9. **CALIFORNIA LAW ENFORCEMENT TECHNOLOGY EQUIPMENT PROGRAM** .. 75
Recommended Action:
1. **Authorize** the Transfer of \$45,000 in FY 00/01 from the Law Enforcement Grants Fund (205) to the General Fund (010),
2. **Appropriate** \$45,000 in FY 01/01 for Grant Expenditures, and
3. **Authorize** the City Manager to Purchase 7 Ruggedized Lap Top Computers in the Amount of \$30,266.
10. **ANNUAL DEPARTMENTAL WORKPLANS** 77
Recommended Action: **Information only.**

11.	<u>TENNANT AVENUE HIGH SCHOOL SITE MEMORANDUM OF UNDERSTANDING</u>	129
	Recommended Action: The City - District Liaison Committee Recommendation Will be Provided at the September 20 th Meeting.	

PUBLIC HEARINGS:

	Time Estimate		Page
12.	15 minutes	<u>EXCEPTION TO LOSS OF BUILDING ALLOCATION, ELBA-00-11: BERKSHIRE - SINGH</u>	133
		Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Adopt</u> Resolution No. 5422 Granting Exception to Loss of Building Allocation.	
13.	10 minutes	<u>GENERAL PLAN AMENDMENT, GPA-00-01: SAN PEDRO - DICONZA</u>	137
		Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Approve</u> Mitigated Negative Declaration. Action - <u>Motion to Adopt</u> Resolution No. 5423 Approving General Plan Amendment.	
14.	4 minutes	<u>ANNEXATION, ANX-98-01: SUNNYSIDE - SCHILLING</u>	151
		Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Adopt</u> Resolution No. 5424 Approving Annexation	
15.	10 minutes	<u>URBAN SERVICE AREA APPLICATIONS: USA-00-02: SUNNYSIDE-STODDARD</u>	161
		Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Adopt</u> Resolution No. 5425 Denying Application USA-00-02 for Inclusion into the Urban Service Boundary.	

OTHER BUSINESS:

	Time Estimate		Page
16.	10 minutes	<u>REQUEST FOR CITY ASSISTANCE - TOWN CATS ORGANIZATION</u>	183
		Recommended Action: <u>Determine</u> Whether the Council Wishes to Assist the Town Cats Organization by Appropriating Funds and Paying the Application Fees for Consideration	

- of a Conditional Use Permit.
17. **COMMUNITY AND CULTURAL CENTER PLANS AND BUDGET** 187
Recommended Action:
1. Approve Schematic Design of the Community Center,
2. Authorize Staff to Proceed with the Design and Development Phase of Project Design, and
3. Revise the C.I.P. to Acknowledge Changes in the Scope and Estimated Construction Costs for the Project.
- SECOND READING OF ORDINANCE:** Full Reading Waived By Majority Vote.
(Government Code Section 36934)
Action -- Adopt Ordinance by roll call vote.
18. 1 minute **ADOPT ORDINANCE NO. 1487, NEW SERIES** 191
An Ordinance of the City Council of the City of Morgan Hill Approving Amendments to Chapters 18.04, 18.30, and 18.74 of the Morgan Hill Municipal Code, ZA-98-11.
19. 1 minute **ADOPT ORDINANCE NO. 1488, NEW SERIES** 205
An Ordinance of the City Council of the City of Morgan Hill Approving Development Standards and Allowable Uses for Five Planned Unit Development (PUD) Areas, ZA-11.

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

1.
5 minutes **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**
Legal Authority: Government Code 54956.8 & 54956.9(c) (1 potential case)
Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Road (St. Louise Hospital property)
City Negotiators: Agency Members; Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel
Closed Session Topic: Potential Litigation
2.
30 minutes **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Government Code Section 54956.9(c) - One (1) potential case
3.
5 minutes **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Legal Authority: Government Code 54956.8
Property: APN 779-04-010; 14465 Monterey Road; 29.2 acres
Negotiating Parties:
For City: City Manager; Public Works Director
For Property Owners: William Sing and Young Kay Mock; The GFI Company

Under Negotiation: Price and Terms of Payment

4.

5 minutes CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Legal Authority:	Government Code 54956.8
Property:	APN 817-13-001; 37.8 acres (Soccer Complex)
Negotiating Parties:	
For City:	City Manager; Public Works Director
For Property Owners:	Tadashi & Alice A. Kadonaga, Trustee
Under Negotiation:	Price and Terms of Payment

5.

5 minutes CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATIONS & CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Legal Authority:	Government Code 54956.8 & 54946.9(c)
Property:	APN 825-06-002, 003, 029, 030; 36.6 acres (Railroad/Maple - Butterfield Retention Basin Site)
Negotiating Parties:	
For City:	City Manager; Public Works Director
For Property Owners:	Costa Family Partners
Under Negotiation:	Price and Terms of Payment

Redevelopment Agency & City Council Action

6.

5 minutes CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority:	Government Code 54956.8
Real Property Involved:	2.93 and 2.03 acre parcels located on the west side of Monterey Road, north of Cosmo Avenue (APN 767-17-046 & 047)
City/Agency Negotiators:	City Manager/Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
Closed Session Topic:	Acquisition of Real Property

7.

5 minutes CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority:	Government Code 54956.8
Real Property Involved:	A 8.93 acre parcel located on West Edmundson Avenue, east of Community Park (APN 767-18-025)
City/Agency Negotiators:	City Manager/Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services

Closed Session Topic: Acquisition of Real Property

8.

5 minutes

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority:

Government Code 54956.8

Real Property Involved:

An 8.25 acre parcel located on Diana Avenue, west of the Future Butterfield Boulevard extension (APN 726-12-006)

Negotiators:

For City/Agency:

City Manager/Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services

For Property Owners:

Kontrabecki Associates (or appropriate owner)

Closed Session Topic:

Acquisition of Real Property

RECONVENE:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT